

**CONTROLLED SUBSTANCES BOARD
MEETING MINUTES
JUNE 4, 2009**

PRESENT: Yvonne M. Bellay, DVM; Robert Block; Timothy Boehmer, R.Ph.;
Cecilia Hillard, Ph.D; and Darold Treffert, M.D.

EXCUSED: Doug Englebert, R.Ph. was with the Nursing board and joined the meeting late

STAFF: Tom Ryan, Bureau Director; Ruby Jefferson-Moore, Legal Counsel; Ben Hanes, Bureau Assistant; and other DRL staff

GUESTS: Jeff Gloyd (La Crosse County Solid Waste Department)

CALL TO ORDER

Darold Treffert, Board Chair, called the meeting to order at 9:35 a.m.

APPROVAL OF AGENDA

Amendments:

- None.

MOTION: Robert Block moved, seconded by Tim Boehmer, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 5, 2009

Amendments:

- None.

MOTION: Robert Block moved, seconded by Tim Boehmer, to approve the March 5, 2009 minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Tom Ryan passed along possible cost-saving measures that the Department may implement, including holding one winter Board meeting by teleconference. He also informed the Board that license renewals will now be done online through the E-credentialing.

**SPECIAL USE AUTHORIZATION REQUEST – JEFF GLOYD – LA CROSSE
COUNTY SOLID WASTE DEPT – BOARD REVIEW**

Jeff Gloyd appeared before the Board to request special use authorization for the La Crosse County Solid Waste Department. He provided a report and answered the Board's questions about the procedures they follow in disposing of controlled substances.

Doug Englebert joined the meeting at 10:03.

MOTION: Cecilia Hillard moved, seconded by Timothy Boehmer, to approve the special use authorization contingent upon receipt of a cover letter from the La Crosse County Sheriff stating that he will take responsibility for the program, evidence of deputization of all employees involved with the program, details of operating procedure including employee monitoring, number of people present during drug collection, possession, transfer and destruction, and reporting requirements for any breach of the program. Motion carried unanimously.

MOTION: Timothy Boehmer moved, seconded by Robert Block, to authorize the board credentialing liaisons to issue the authorization when all requirements have been met. Motion carried unanimously.

**NATIONAL ASSOCIATION OF STATE CONTROLLED SUBSTANCES
AUTHORITIES (NASCSA) ANNUAL MEETING – OCTOBER 20-23 – SAN
DIEGO, CA – CONSIDER ATTENDANCE AND SCHOLARSHIP
APPLICATION**

The Board agreed to send a representative to the meeting.

MOTION: Timothy Boehmer moved, seconded by Yvonne Bellay, to appoint Robert Block as representative to the NASCSA annual meeting, and to give Darold Treffert authority to appoint a replacement if necessary. Motion carried unanimously.

Special Use Authorization Permit Report

Yvonne Bellay reported that she sometimes may need to make minor changes to the Special Use Authorization form. The Board agreed that she may make such minor changes to the form without prior approval as long as she reports those changes back to the Board. She also noted some confusion about the duration of SUA permits, especially among humane societies, and informed the Board that she would be taking steps to clarify this.

**SPECIAL USE AUTHORIZATION PERMITS – REVIEW OF DEFINITIONS
“SWORN” AND “DEPUTIZED” – RUBY JEFFERSON-MOORE, DRL LEGAL
COUNSEL**

Yvonne Bellay reported that national organizations do not require that members be “deputized” or “sworn.” They only consider whether or not a person has arrest powers. Ruby Jefferson-Moore restated her original recommendation that the Board amend its rules to codify SUA permit application requirements. The Board agreed to place this item on the next meeting’s agenda for further discussion before beginning the rulemaking process.

**PRESENTATION AND REVIEW OF SPECIAL USE AUTHORIZATION
APPLICATIONS THAT MAY BE RECEIVED IN THE BUREAU AFTER
MAILING OF AGENDA**

None.

PRACTICE QUESTIONS

None.

**ASSEMBLY BILL 227, RELATING TO THE CREATION OF A PRESCRIPTION
DRUG MONITORING PROGRAM – BOARD REVIEW**

The Board discussed the bill.

MOTION: Timothy Boehmer moved, seconded by Doug Englebert, to include all professions that are authorized to dispense controlled substances for human consumption in Assembly Bill 227. Motion carried unanimously.

ASSEMBLY BILL 186, RELATING TO SALVINORIN A

Robert Block attended a hearing that cancelled. His statement representing the Board’s position on this matter was provided to the legislators who sponsored the bill.

**SENATE BILL 180, RELATING TO PRESCRIBING AUTHORITY FOR
PSYCHOLOGISTS**

The Board discussed concerns with section 22 of the bill, which allows psychologists licensed in another state to offer services as a prescribing psychologist in Wisconsin for up to 60 days without a credential. Specifically, the Board noted its lack of oversight and disciplinary power over such psychologists.

MOTION: Doug Englebert moved, seconded by Robert Block, to go on record with concerns regarding section 22 of Senate Bill 180, and to

request inclusion of a provision requiring that psychologists comply with the State's laws and rules monitoring controlled substances. Motion carried unanimously.

LISDEXAMFETAMINE – BOARD DISCUSSION

The Board discussed whether to schedule lisdexamfetamine in Wisconsin and different methods of scheduling, through rule-making or legislation.

MOTION: Doug Englebert moved, seconded by Timothy Boehmer, to begin the rule-writing process to make lisdexamfetamine a controlled substance under Wisconsin controlled substances act. Motion carried unanimously.

More information will be provided at the next meeting.

SUMMARY REPORTS OF PENDING COURT CASES, DISCIPLINARY CASES, ADMINISTRATIVE RULES AND LEGISLATION - REVIEW

Noted.

DEA RULE RE: DRUG DISPOSAL

Noted.

NATIONAL ASSOCIATION OF BOARDS OF PHARMACY (NABP) POSITION PAPER RE: ACTION AGAINST PROLIFERATION OF ROGUE INTERNET DRUG OUTLETS

Noted.

STATE COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE REPORT – DOUG ENGLEBERT

Noted.

CONTROLLED SUBSTANCES THEFT AND LOSS REPORTS

The Board reviewed the Controlled Substances theft and loss reports.

DRUG SUMMARY REPORTS

The Board reviewed and discussed the reports.

INFORMATIONAL ITEMS

Noted.

PUBLIC COMMENTS

None.

ADJOURNMENT

MOTION: Cecilia Hillard moved, seconded by Doug Englebert, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 1:06 p.m.

NEXT SCHEDULED MEETING: SEPTEMBER 10, 2009